

BEST AVAILABLE COPY**REMARKS/ARGUMENTS****I. Fees**

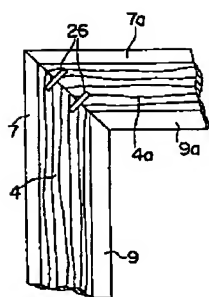
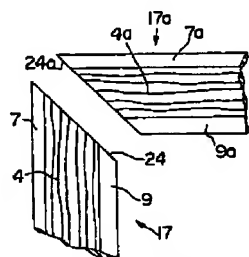
Applicant believes that there are no fees due at this time. *If there are any additional fees due in respect to this amendment, please charge them to Deposit Account No. 13-2165. Authority is hereby given to charge any such deficiency, or credit any overpayment, to Deposit Account No. 13-2165 Mathews, Collins, Shepherd & McKay. The Examiner is invited to contact the undersigned if further information is required.*

II. 35 U.S.C. § 102(b)

It is the Examiner's opinion that claims 1-5, 7-15 and 17-20 are anticipated by Barnett (US Patent No. 5,450,702) in view of Graves et al. (US Patent No. 5,410,344).

Applicant traverses the particular grounds for the rejections. However, in the interest of prosecutorial efficiency applicant has amended independent claims 1 and 11 to more clearly state the present invention.

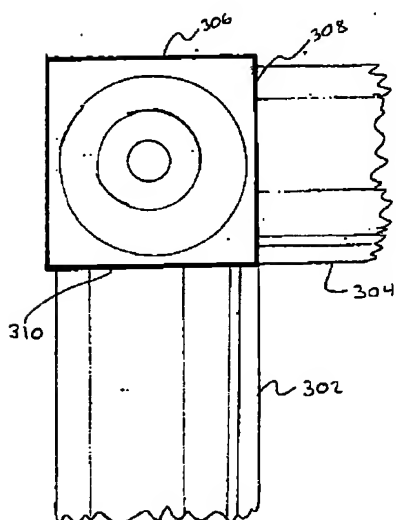
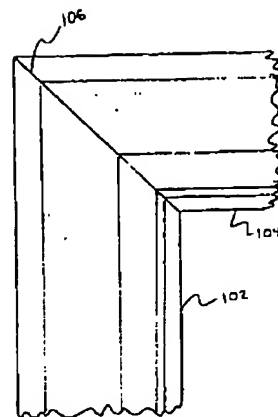
The applicant agrees with the Examiner that Barnett discloses a three dimensional molding cap and further that Barnett does not disclose a pilot hole.

**FIG. 4****FIG. 3**

The applicant notes that the corner joint of the cap molding in Barnett is a flush (mitered) joint, not a concealed joint. See Figure 4 and Column 4 lines 3 through 11. Barnett recites that "A corner unit is formed when the top edges 12 and 14 of the shell 3 and frame 4, respectively, are slanted at forty-five degree angles." See column 3 lines 65 through 68.

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The applicant discloses and shows this type of corner joint in Figure 1a. This type of joint and the uneven joint shown in Figure 2 are not the present invention.



In contrast to Barnett, the present invention claims a molding cap where the first molding is partially covered by said three-dimensional structure and the second molding is partially covered by said three-dimensional structure, as said three-dimensional structure straddles the first molding and straddles the second molding, such that said three-dimensional structure conceals the proximal end of the first molding and the proximal end of the second molding, which is the corner joint.

Barnett clearly does not conceal the corner joint. The tongue and groove structure of Barnett is such that the Barnett cap can only be slid on to a linear (straight) structure, wherein the combined structure with Barnett cap must then be mitered.

Barnett teaches a decorative tongue and groove molding

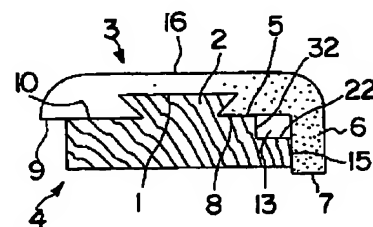


FIG.5

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which prevents the shell (molding) from being pulled from the frame. Further Barnett teaches that the shell is slid onto the frame (which is linear) in the direction of the groove.

Withdrawal of the rejection of claims 1-5, 7-15 and 17-20 over Barnett, under 35 U.S.C. §102(b) is respectfully requested.

III. 35 U.S.C. § 103(a)

It is the Examiner's opinion that claims 6 and 16 are unpatentable over Barnett (US Patent No. 5,450,702) in view of Weiss et al. (US Patent No. 5,921,056).

Applicant traverses the particular grounds for the rejections. However, in the interest of prosecutorial efficiency applicant has amended independent claims 1 and 11 to more clearly state the present invention.

The applicant agrees with the Examiner that Weiss discloses a pilot hole. However the pilot hole is on the back surface and not on the front surface. Applicant repeats the arguments made above as if set out in full herein.

As the Examiner has failed to make a prima facie case of anticipation based on the cited prior art, withdrawal of the rejection of claims 6 and 16 over Barnett in view of Weiss et al. under 35 USC 103(a) is respectfully requested.

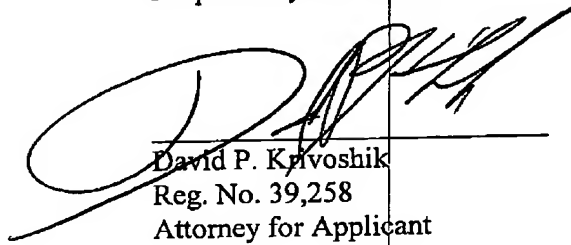
IV. Summary

By this amendment, applicant has amended the claims to more clearly state the present invention. Applicant believes that claims 1-3, 5-13 and 15-20, the only remaining claims, are in condition for allowance. Should there remain any questions or other matters whose resolution

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may be advanced by a telephone call, the Examiner is cordially invited to contact the applicant's undersigned attorney at his number below.

Respectfully submitted,



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